

TENNESSEE REGULATORY AUTHORITY



Deborah Taylor Tate, Chairman
Pat Miller, Director
Sara Kyle, Director
Ron Jones, Director

460 James Robertson Parkway
Nashville, Tennessee 37243-0505

September 23, 2003

Charles B. Welch, Jr.
Farris Mathews Branam Bobango & Hellen, PLC
618 Church Street, Suite 300
Nashville, Tennessee 37219

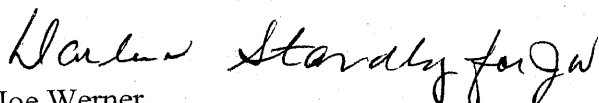
RE: Docket # 03-00521

Dear Mr. Welch:

CLEC applicants are required, by statute, to demonstrate their managerial, financial and technical abilities to provide the services for which they seek authority. To assist the Authority in its review of Charter Fiberlink-Tennessee, LLC's application for a Certificate of Convenience and Necessity to provide competing facilities-based local services in Tennessee, you are requested to provide the information on the attachment.

Please provide this information by October 6, 2003. If you have any questions concerning this request or need additional information, please call Patsy Fulton at 615-741-2904 ext. 193.

Sincerely,


Joe Werner
Telecommunications Chief

Attachment (1)
Cc: Docket File

Charter FiberLink-Tennessee, LLC

Data Request

September 23, 2003

1. On March 10, 2000, the Tennessee General Assembly enacted Public Chapter 586 which amends Tennessee Code Annotated §65-4-125, "Changes in telecommunications service provider - Regulation - Enforcement." Section 3 of this act states as follows:

Section 3. Tennessee Code Annotated, Section 65-4-125, is amended by adding the following as a new, appropriately designated subsection:

j. By September 1, 2000, all telecommunications service providers subject to the control and jurisdiction of the authority, except those owners or operators of public [pay] telephone service who pay annual inspection and supervision fees pursuant to Tennessee Code Annotated, Section 65-4-301(b), or any telecommunications service provider that owns and operates equipment facilities in Tennessee with a value of more than five million dollars (\$5,000,000), shall file with the authority a corporate surety bond or irrevocable letter of credit in the amount of twenty thousand dollars (\$20,000) to secure the payment of any monetary sanction imposed in any enforcement proceeding, brought under this title or the Consumer Telemarketing Protection Act of 1990, by or on behalf of the authority.

Pursuant to the above statute, the following will be due to the Tennessee Regulatory Authority ("TRA"), prior to completing the processing of your application for a Certificate of Public Convenience and Necessity:

1. A corporate surety bond in the amount of \$20,000; or
 2. An irrevocable letter of credit in the amount of \$20,000; or
 3. Documentary evidence that you own and operate equipment facilities in Tennessee worth more than \$5,000,000.
2. A sworn pre-filed testimony is required for CLEC applications. This testimony should describe the services to be provided, the applicant's technical, managerial and financial abilities to provide the services and affirm that all information submitted is true and correct.
3. A Tariff should be filed subsequent to applications approval and before commencing operations (tariffs filed with application are informational only, not official filings).
4. Please provide financial statements for Charter Fiberlink, LLC including balance sheet, income statement and statement of cash flows, or in the alternative, a funding statement from the parent company, Charter Communications, Inc. for Charter Fiberlink-

Tennessee, LLC. The funding statement should include the amount of funding and when the funding will be available to Charter Fiberlink-Tennessee, LLC.

5. Please provide answers to the following questions concerning Tennessee Specific Operational Issues:

1. How does the company intend to comply with TCA §65-21-114? In its description, please explain technically how the company will not bill for countywide calls within Tennessee.
2. Does the Applicant intend to subscribe to and/or participate in BellSouth's TAR Code data base in order to insure compliance with Tennessee's County Wide Calling Statute? If not, please describe in detail the method that will be used to insure your customers, within a Tennessee county, are not billed toll charges for a call made to any other resident (regardless of carrier) within the same county.
3. Is your company aware of the local calling areas provided by the Incumbent Local Exchange Carriers in your proposed service areas?
4. Explain the procedures that will be implemented to assure that your customers will not be billed long distance charges for calls within the metro calling areas.
5. Please provide the name and telephone number of an employee of your company that will be responsible to work with the TRA on resolving customer complaints.
6. Does the company intend to telemarket its services in Tennessee? If yes, is the company aware of the telemarketing statutes and regulations found in TCA §65-4-401 *et seq.* and Chapter 1220-4-11?